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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,689

12/16/2003

Jun Fujimoto

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

THOMAS, ERIC M

ART UNIT

PAPER NUMBER

3714

NOTIFICATION DATE

DELIVERY MODE

07/10/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/735,689	<b>Applicant(s)</b> FUJIMOTO, JUN	
	<b>Examiner</b> Eric M. Thomas	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5, and 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/12/08 has been entered.

### ***Response to Amendment***

This is in response to the amendments filed on 5/5/08; claims 1, 5, and 6 have been amended and claims 2 - 4 and 7 - 20 have been cancelled. Claims 1, 5, and 6 are now pending in the current application.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmarkar (U.S. 6,508,709) in view of Walker (U.S. 6,293,866).**

Regarding claim 1, Karmarkar provides a system that provides information on a game arcade, (col. 9, lines 47 - 50), or a hotel, (col. 14, line 26), that discloses a plurality of cameras in the game arcade for taking images of situations in a game

Art Unit: 3714

arcade, (col. 6, lines 23 - 39), while the images taken are shown on a display or video source in a guest room in the hotel, (col. 7, lines 47 - 50 and fig. 8), wherein the situations include a game, a gaming machine and other information of the game arcade other than the game and the gaming machine, (col. 3, lines 8 - 13, col. 9, lines 38 - 42), a display terminal that is used to show the images selected by a user and taken by the cameras, (col. 3, lines 8 - 13), a card that has player identification stored therein and a card reader that reads the identification stored on the card, (col. 16, lines 47 - 50 and col. 24, lines 25 - 28), and second identifiers that are capable of monitoring and identifying each gaming machine installed in the game arcade wherein the photographing means is capable of taking the image of a user's input operation at the display terminal and displaying the gaming machine and the information of the player playing at the gaming machine taken by a selected photographing means (col. 17, lines 44 - 61).

Regarding claim 5, Karmarkar provides a system that is capable of identifying the individual live player, but is silent on the issue on whether or not the identification process includes any of the player's personal information. In a related art, however, Walker provides a system that discloses information on players that includes a player's identification number and name of the player (col. 4, lines 40 - 47). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to add a personal identification process of a player into the system of Karmarkar in order for a player to customize a game to their playing preferences.

Regarding claim 6, Karmarkar is silent on a tabulating means for counting the second identifiers from a card from a gaming machine. In a related art, however, Walker provides a system that includes a tabulating means that is capable of counting a number of the second identifiers read from a tracking card on the gaming machine (col. 4, lines 40 - 47; col. 6, lines 10 - 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a tabulating means for counting the second identifiers into the system of Walker in order to track the player's performance while using the gaming machine.

#### ***Response to Arguments***

4. Applicant's arguments filed on 5/5/08 have been fully considered but they are not persuasive. Regarding claim 1, applicant argues that "Karmarkar cannot cause the display terminal in a room of a hotel (for example) to display information related to a specific player playing at a specific gaming machine in the game arcade." The examiner respectfully disagrees. Karmarkar teaches a feature that allows a player to roam or view live content of the entire casino gaming area, wherein the casino area may include images a game situations, the gaming machines, or any other instances that may be of interest to the player using the remote player feature (col. 16, line 60 – col. 17, line 15). The examiner interprets this feature as being capable of allowing a player to view and monitor almost any gaming situation within the casino gaming environment. For the reasons stated above, the arguments presented by the applicant are deemed not to be persuasive.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Thomas whose telephone number is (571) 272-1699. The examiner can normally be reached on 7a.m. - 3p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/  
Supervisory Patent Examiner, Art Unit 3714